

**General Permit No.** SC GP-95-002 (Revised)  
**Name of Applicant:** SC Department of Transportation  
**Effective Date:** June 21, 2001  
**Expiration Date:** June 21, 2006

**South Carolina Department of Health and Environmental Control  
General Permit**

A General Permit to perform work in or affecting the navigable waters of South Carolina, pursuant to regulations and procedures established under R. 19-450, et seq., Code of Laws of South Carolina, 1976, as amended, is hereby issued by the South Carolina Department of Health and Environmental Control (SCDHEC) to:

SC Department of Transportation  
involving Navigable Waters of South Carolina  
and

to authorize the following construction activities: Replacement, rehabilitation, refurbishment and/or retrofitting of material and design to bridge structures and box culverts in such a manner as to restore or maintain usefulness, increase safety or extend the life of the structure or its purpose. Bridge replacement is defined as any project that involves the construction of a new bridge on the same location as an existing bridge or the total removal of the superstructure or more of an existing bridge. Bridge rehabilitation, refurbishment or retrofitting is anything less in scope than replacement. Bridge replacement on new location is not authorized by this General Permit. Bridge replacement on new location is defined as any bridge that extends more than 100 feet perpendicular to an existing bridge structure, centerline to centerline.

Concomitant to bridge replacement or rehabilitation as above defined, additional activities authorized include the placement of riprap, guardrails, pipes and box culverts, and repaving. Also included is widening of approachway shoulders, minor roadway widening, paving and repaving; all of which must impact less than 0.50 acre of navigable waters per project.

Cleaning and repairing of outfall and roadway ditches that connect to State Navigable Waters are also included. This is defined as the restoration of ditches to original elevations by the removal of accumulated debris and sediment.

Additionally, utility lines attached to existing bridges to be replaced may be relocated provided the relocation is within the right-of-way of the affected highway. Utility line replacement may be aerial, subaqueous or attachment to the new bridge structure. Also, scientific monitoring equipment may be temporarily moved to adjacent areas until such time as the new bridge has been completed at which time the equipment must be relocated to the new bridge structure.

**I. General Conditions**

A. Activities authorized by this General Permit shall be as above described and conforming to the standards contained herein. Other construction of any kind within the Navigable Waters of South Carolina is not authorized by this document.

B. All activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and any variance or activity not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension, or revocation of this permit, and in the institution of such legal proceedings as the SCDHEC may consider appropriate.

C. The SCDOT must make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife, and natural environmental values or historic or prehistoric values.

D. The SCDOT must prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

E. The SCDOT shall permit State law enforcement personnel, representatives of the SCDHEC or other authorized State permit inspectors to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

F. The SCDOT shall maintain structures authorized herein in good condition.

G. This General Permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or Local laws or regulations nor does it obviate the requirement to comply with any applicable standards required by ordinance for the construction of structures authorized herein.

H. This General Permit may be either modified, suspended, or revoked in whole or in part if the SCDHEC determines that such action would serve the public interest, and such modification, suspension or revocation shall not be an act entitling the permittee to compensation for any claimed loss as a consequence of such regulatory action, under any circumstances, this permit being issued solely as an accommodation to the permittee, and being revocable as conditions may warrant.

I. No attempt shall be made by the SCDOT to prevent reasonable use by the public of all navigable waters adjacent to the activity authorized by this permit.

J. If and when the SCDOT desires to abandon an authorized structure, the SCDOT may be

required to remove the structure.

K. There shall be no unreasonable interference with navigation by the existence or use of structures authorized herein.

L. The SCDOT upon receipt of a notice from the SCDHEC of failure to comply with the terms, conditions, or standards of this General Permit shall, within sixty (60) days (unless circumstances require more expeditious action to protect public health, safety, or environment) and in such manner as the agency may direct, effect compliance with terms, conditions, and standards or remove the structure from the Navigable Waters of South Carolina.

M. This General Permit relates to jurisdictional Navigable Waters of South Carolina excluding the critical area of the coastal zone.

N. This General Permit is not applicable to projects requiring fill material placed in tidal waters.

O. This General Permit does not apply to bridge replacement projects that require an individual permit from the United States Coast Guard.

P. This General Permit does not apply to projects in Trout Waters as listed and defined in S.C. Department of Health and Environmental Control Regulations 61-68 and 61-69.

Q. The Permittee must notify the South Carolina Department of Archives and History (Ms. Nancy Brock, (803) 734-8577, Historic Preservation Division, Post Office Box 11669, Columbia, South Carolina 29211) if any archaeological materials are encountered during the course of the work. Archaeological materials consists of any items, fifty years or older, which were made or used by man. These items include, but are not limited to stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal and glass objects, and human skeleton remains. These materials may be present on the ground surface and/or under the surface of the ground.

R. If underwater archaeological or paleontological remains are found during the course of work, the applicant must notify the South Carolina Institute of Archaeology and Anthropology (803/777-8170) in accordance with the South Carolina Underwater Antiquities Act of 1991 (Article 5, Chapter 7, Title 54, Code of Laws of South Carolina, 1976). Archaeological remains consist of any materials made or altered by man which remain from past historic or prehistoric times (i.e., older than fifty years). Examples include old pottery fragments, metal, wood, arrowheads, stone implements or tools, human burials, historic docks, structures, or non-recent vessel remains. Paleontological remains consist of prehistoric animal remains, original or fossilized, such as teeth, tusks, bone, or entire skeletons.

II. **Special Conditions:** The following conditions set forth minimum criteria and do not preclude the

establishment of more stringent criteria by appropriate authority or agreement.

- A. Once the project is initiated, it must be carried to completion in an expeditious manner in order minimize the period of disturbance to the environment.
- B. Riprap must consist of clean stone or masonry material free of all potential sources of pollution.
- C. Riprap must be placed against the existing erosional scarp and landward of any wetland vegetation to prevent the loss of wetlands.
- D. Pipes and box culverts must be placed at the same elevation as the flood plain or stream bed to prevent erosion, to provide adequate passage of the indigenous aquatic community and to provide unimpeded flow of flood waters.
- E. Prior to the work beginning, a silt fence, silt barrier or other suitable sediment control device must be placed between the construction area and the affected wetland or waterway. This device must be kept in a functioning capacity until the area is stabilized.
- F. Construction activities must avoid encroachment into any wetland areas to the greatest extent practicable. Any unavoidable impacts to wetlands must be appropriately restored or mitigated consistent with agency guidelines.
- G. Construction activities in navigable waters, including the removal of an existing bridge, must be minimal during the months of March, April, May and June because of potential impacts to spawning fishes.
- H. SCDOT is advised that development activities in a 100 year floodplain, as designated in the Federal Emergency Management Agency (FEMA) Flood Insurance Study Data, are subject to floodplain management regulations of the National Flood Insurance Program [(NFIP) (44CFR)]. The NFIP further prohibits any development within a designated floodway, including placement of fill, that results in any increase in base flood elevations. SCDOT must also comply with the FEMA - U.S. Federal Highway Administration Agreement on Floodplains Management.
- I. All necessary measures must be taken to prevent oil, tar, trash, debris and other pollutants from entering the adjacent waters or wetlands.
- J. Upon completion of construction activities, all disturbed areas which are not paved must be restored to their original contours and must be permanently stabilized with a vegetative cover. This may include sprigging, trees, shrubs, vines or ground cover.
- K. Access to the project sites must be attained from highland, from the portion of the bridge

already completed ("end on end construction") or from floating barges or mats instead of barge canals or causeways.

L. All bridges and aerial utility line relocation associated with bridge replacement must meet SCDHEC navigation clearance requirements.

M. At the same time the S.C. Department of Transportation (SCDOT) submits its permit application to the South Carolina Department of Health and Environmental Control (SCDHEC), SCDOT shall also submit a copy of the application to the S.C. Department of Natural Resources (SCDNR). SCDNR shall have ten (10) days from receipt of the application to notify SCDHEC of any relevant special or unique natural resource features or values (such as the presence of endangered species) and any measures needed to avoid impacts to such special features or values or to recommend that the project be elevated to individual permit status.

N. Any deviation from the specifications or other terms or conditions of the General Permit would constitute a violation of regulations and could result in removal of the structures or work and restoration of the waterway to its former condition and/or imposition of penalties as provided by law.

III. Required Authorization To seek authorization for the activities described in this General Permit, SCDOT must first complete and submit to the SCDHEC a permit application for the work proposed. SCDOT shall provide evidence to SCDHEC that all landowners immediately adjacent to the property upon which the activity is to occur have been notified of the proposed activity. Failure to provide such evidence shall preclude authorization under this General Permit.

IV. Penalties for Violation Any deviation from the specifications or other terms or conditions of the General Permit would constitute a violation of regulations and could result in removal of the structures or work and restoration of the waterway to its former condition and/or imposition of penalties as provided by law.

V. Revocation of General Permit This General Permit may be withdrawn or removed by issuance of a public notice at any time the SCDHEC determines that the singular or cumulative effects of the activities authorized herein have an adverse effect on the public interest. Following such revocation any future activities in areas covered by this General Permit will be processed as individual permits.

VI. Duration of the General Permit This permit will cover activities started within five (5) years and completed within six (6) years after the date of issuance unless this permit is revoked in the interim. A revocation of the General Permit will not affect the work that had been authorized when the General Permit was in effect.

This General Permit shall become effective on the date signed by the SCDHEC.

By Authority of the South Carolina Department of Health and Environmental Control

---

Signature

---

Date

---

Title